

REMARKS

A final Office Action was mailed May 11, 2007. Applicants timely file this Preliminary Amendment together with a Request for Continued Examination and Petition for a One-Month extension of time.

Reconsideration of the application is respectfully requested.

I. Status of the Claims

Claims 1 - 7, 9 - 23, 31 - 39, and 41 - 53 are presently pending, with claims 8, 24-30 and 40 having previously been canceled without prejudice or disclaimer of the subject matter therein.

Claims 1, 6, 9, 11 - 13, 17, 22, 33, 38, 41, 44, 45 and 51 are amended, and new claims 54 - 56 are added. No new matter is introduced.

II. Rejections under 35 U.S.C. § 102/103

Claims 1-7, 9-14, 17-23, 33-39, 41-47, and 49-51 are rejected under 35 U.S.C. §103(a) as being unpatentable over Bussick et al. (U.S. Patent No. 7,070,502, herein "Bussick") in view of Walker et al. (U.S. Patent No. 6,203,430, herein "Walker"). Claims 15, 16, 31, 32, 48, 52 and 53 are rejected under 35 U.S.C. §103(a) as being unpatentable over Bussick in view of Walker and Berman (U.S. Patent Application Publication No. 2003/0045345). Applicants amend claims 1, 6, 9, 11 - 13, 17, 22, 33, 38, 41, 44 and 51 to further clarify the nature of their invention, and respectfully traverse the above rejections of claims 1 - 7, 9 - 14, 17 - 23, 31 - 39, and 41 - 53 under 35 U.S.C. §103.

In amended independent claim 1, Applicants claim:

1. A game machine comprising:

a reel display module having plurality of reels and providing a changing display state of a plurality of types of symbols in a plurality of regions and a static display state of said changingly displayed symbols in said regions, at least one of said symbols being a special symbol;

a measuring module measuring a count that is a number of times said special symbol is displayed in each of said reels of said reel display module in at least said changing display state;

a game points determining module determining game points to be awarded to a player based on said measured count; and

count display modules, each of which correspondingly display said count for one of said plurality of said reels, said count being measured by said measuring module in association with each of said plurality of regions.

(Emphasis added)

Bussick discloses a game machine comprising a plurality of reels providing each of a changing display state and a static display state (see, e.g., Col. 6: 40 - 48 of Bussick). The Examiner acknowledges that “Bussick does not disclose displaying a count wherein the count is how many times that the symbol was displayed on the reels,” but suggests that this deficiency is overcome by Walker.

Walker discloses an electronic slot machine (see, e.g., abstract of Walker). In Walker’s slot machine, a running count of a tracked symbol can be initiated for the purpose of processing a bonus payout (see, e.g., Col 3: 33 - 51 of Walker). The count represents “the number of times the tracked symbol occurs in a generated outcome” (Walker, Col. 4: 46, 57, emphasis added). As described by Walker, an outcome “represents the result of a game, and leads to an associated payout for a player (see, e.g., Col. 8: 41 - 64, and in particular, lines 44 which refers to determining “an outcome for the game”). Walker’s outcome is therefore equivalent to Applicants’ claimed “static display state,”

which follows a dynamic or “changing” display state and provides an indication as to the outcome of the game (e.g., the awarding of a prize). See, e.g., page 13, lines 1 - 8 of Applicants’ specification.

Thus, and in sharp contrast to Applicants’ amended independent claim 1, Walker fails to disclose or otherwise describe a slot machine in which a measuring module measures the number of times that a special symbol is displayed for a reel in a changing display state. For example, as described by Applicants specification at page 15, line 19 through page 16, line 7, and with reference to Applicants’ FIG. 4, Applicants claimed measuring module operates to count the display of special symbols during the changing display state by counting “the number of times the kicker symbol (special symbol) passes the payline starting with when the reels start spinning and ending when they stop (step 5)” (emphasis added). Applicants submit that this feature of Applicants’ claimed invention is not taught or suggested by Walker, or either of the other cited references (Bussick and Berman).

Accordingly, Applicants respectfully submit that amended independent claim 1 is not obvious in view of the cited references, and stands in condition for allowance. Applicants also amend independent claims 9, 17, 33 and 41 to clarify that counting of special symbols and/or random selection of sub-symbols is performed each time that a special symbol is displayed for a reel in a changing display state, and therefore further submit that amended independent claims 9, 17, 33 and 41 are also allowable over the cited references for at least the reasons presented above in reference to allowable claim 1. As each of claims 2 - 7, 10 - 16, 18 - 23, 31, 32, 34 - 39 and 42 - 53 depends from one of allowable independent claims 1, 9, 17, 33 and 41, Applicants respectfully

submit that dependent claims 2 - 7, 10 - 16, 18 - 23, 31, 32, 34 - 39 and 42 - 53 are allowable for at least this reason.

Accordingly, Applicants respectfully request that the rejections of claims 1 - 7, 9 - 14, 17 - 23, 31 - 39, and 41 - 53 under 35 U.S.C. §103(a) be withdrawn.

II. New Claims

Applicants introduce new claims 54 - 56. As each of claims 54 - 56 depends from allowable claims 1 and 33, Applicants respectfully submit that new claims 54 - 56 are allowable for at least this reason.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

The Examiner is respectfully requested to contact the undersigned at the telephone number indicated below if the Examiner believes any issue can be resolved through either a Supplemental Response or an Examiner's Amendment.

Dated: September 6, 2007

Respectfully submitted,

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